

EXHIBIT W



May 15, 2019

Via Email: MLockerby@foley.com

Mr. Lockerby,

I write to ask that you agree to allow the Plaintiffs to re-open the deposition of Defendant Adams in both his personal and corporate capacity in light of documents and information that only recently came to light through Steve Albertson's deposition and document production, the Virginia Voters Alliance's recent (unexpected) document production, the recent (unexpected) disclosure by PILF board member Hans von Spakovsky during his deposition that he is withholding a number of documents in response to his subpoena, and other new evidence. Among other things, we specifically note the following:

- On Friday, May 10th, Mr. Albertson produced 464 documents including a number of emails with Mr. Adams that Mr. Adams himself had not previously produced (despite having been ordered by the court to produce documents by March 8th).
- On Thursday, May 9th, VVA—the co-author of the *Alien Invasion* reports—produced 439 documents that it had previously withheld as privileged. The Plaintiffs were not even aware that these documents had been withheld until VVA unexpectedly produced a privilege log on May 3rd (well after any applicable deadline for such a log).
- After his deposition had been delayed multiple times by his counsel, Hans von Spakovsky—a PILF board member—was deposed on May 9th. During that deposition, Plaintiffs learned for the first time that Mr. von Spakovsky had withheld ALL communications with Mr. Adams and others at PILF in response to his subpoena. He has yet to produce a privilege log, but we expect many of the withheld documents should be produced because there is no blanket privilege. Notably, these documents are not only responsive to the subpoena to Mr. von Spakovsky, but also to Plaintiffs' requests for production to PILF and Mr. Adams.

The Plaintiffs had—and have—a right to question Mr. Adams about all these topics and documents. We plan to address our request during the parties' scheduled discussion tomorrow afternoon at 2:30 p.m. We would like to avoid having to seek court intervention, but we will be prepared to file a motion this Friday if necessary.

Sincerely,

A handwritten signature in blue ink that reads "Genevieve Nadeau". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Genevieve Nadeau
Counsel, Protect Democracy